

SUBJECT: Creating a family violence pretrial diversion program in Bexar County

COMMITTEE: Corrections — committee substitute recommended

VOTE: 9 ayes — White, Allen, Bailes, Bowers, Dean, Morales, Neave, Sherman, Stephenson

0 nays

WITNESSES: For — Gloria Leal, Mexican American Bar Association of Texas;
(*Registered, but did not testify*: Alexandra Guio, Dallas County Criminal District Attorney John Cruzot; Cindy Klempner, National Alliance on Mental Illness, Texas & Austin affiliates)

Against — None

DIGEST: CSHB 3529 would require the executive director of the Texas Department of Criminal Justice (TDCJ) to collaborate with judges in Bexar County to establish a family violence pretrial diversion pilot program for individuals who were charged with offenses involving family violence and who suffered from substance abuse disorders or chemical dependencies.

The program would be established to reduce rates of family violence recidivism and would need to include:

- assessment instruments to accurately analyze the needs of pilot program participants;
- a comprehensive substance abuse disorder and chemical dependency treatment program that included case managers, clinicians, peer mentors, or recovery coaches;
- in collaboration with law enforcement agencies, a procedure to rapidly respond to participants who failed to comply with the program's requirements, including immediate removal from the program when appropriate; and

- the use of video teleconferencing systems in courts to facilitate the cooperation of witnesses in the criminal justice system and to reduce costs associated with transporting defendants.

TDCJ would review the pilot program and submit a report to the governor, lieutenant governor, House speaker, and the Legislature by December 1 of each even-numbered year, which would include:

- a summary of the status and results of the pilot program;
- an analysis of the effectiveness of the pilot program in reducing recidivism among individuals charged with offenses involving family violence and who suffered from substance abuse disorders or chemical dependencies;
- any local, state, or federal funding sources available to extend the pilot program to other counties or to extend the current program for a longer period of time; and
- any legislative or other recommendations.

The bill's provisions would expire September 1, 2023.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2019.